

REMARKS

The request for continued examination (RCE) is submitted in response to the the final Office Action of May 27, 2005 and following a subsequent telephone interview with the Examiner on July 27, 2005.

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The purpose of the telephone interview was to convince the Examiner to allow the case as is, and clarify some statements made in the Office Action of May 27, 2005,

During the interview the arguments were presented to the Examiner that the combination of references of Kirani et al. (referred to as Kirani) and Beyda et al. (referred to as Beyda) does not teach the present invention.

It was argued that references quoted by the Examiner do not provide suggestion, motivation or desirability for combining the above references in order to establish prima facie obviousness under 35 U.S.C 103(a) as required by the MPEP rules and the established case law.

Furthermore, it was argued that the limitation of independent claims (e.g., claim 1) of the present invention, stating that "said URL signal providing an internet server (32) location of software obtainable by the receiving terminal (22)", is not described by Kirani or Beyda. Kirani talks about storing the address for an attachment of an e-mail message which can be subsequently accessed by the recipient of the e-mail message. This is not the same as providing an internet server location of "**software**" which can be used by the recipient of the multimedia message for rendering the multimedia message using said software, as recited in claim 1 of the present invention. Furthermore, Kirani does not teach sending the attachment (equivalent to

"multimedia message" of claim 1) to the recipient at all which is recited in claim 1 of the present invention and which is another limitation not taught by the two references quoted by the Examiner. Also Kirani does not teach providing such software location for rendering the multimedia message (MM) which (said multimedia message) is directly sent to the recipient (and not stored in the storage location as taught by Kirani).

It was further argued that combining Bedya with Kirani would not teach the invention described in claim 1 of the present invention. A couple of scenarios how Kirani and Beyda are combined were provided to the Examiner:

First scenario. The recipient gets the e-mail message with a notification about the attachment stored on a remote location, according to Kirani. If after this notification the recipient uses Beyda's teaching and determines the URL of the software needed to render the attachment directly by a recipient after receiving the notification, the combination of Kirani and Beyda will not teach claim 1 of the present invention, because, according to claim 1 the MM is sent to the recipient directly and not stored on a remote location and the location (URL) of the software needed for rendering the MM is known by the multimedia messaging service center before sending this MM and sent with the MM, thus the combination of Kirani and Beyda would not describe claim 1 of the invention.

Second scenario. The e-mail system of Kirani uses Beyda capabilities and determines the URL of the software needed for rendering the attachment by the recipient. Then Kirani combined with Beyda will teach away from the original Kirani invention, because if the attachment with the URL for the software needed for rendering the attachment by the

recipient is directly sent to the recipient (as in claim 1 of the present invention), that will teach away from the original Kirani teaching wherein the attachment is stored on a remote location.

The Examiner disagreed with above arguments and made statements similar to those made in the Office Action of May 27, 2005 that these are well known technologies and that a person skilled in the art can easily come up with the claimed invention by combining these references.

Also during the telephone interview the Examiner suggested amending the claims to more clearly define the invention.

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The applicant confirms the arguments presented in the Request for reconsideration filed on February 4, 2005 and further discussed above in regard to a telephone interview with the Examiner on July 27, 2005. However, taking the Examiner's advice into consideration, this amendment for the RCE provides claim amendment which further clarifies the invention. In particular, some limitations of the original claim 12 are added in independent claims 1, 19, 27, and 28. New claims 29 and 30, fully supported by the specification, are added for further clarification.

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Consideration and allowance of all claims are  
respectively requested.

Respectfully submitted,



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